

not average $1\frac{3}{4}$ ounces in weight, but did average a less amount. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On January 15, 1919, the defendant entered a plea of *nolo contendere* to the information, and the court imposed a fine of \$150.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6859. Adulteration of canned corn. U. S. * * * v. 1,941 Cases * * * of Canned Corn. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 9207, 9208. I. S. Nos. 6551-r, 6552-r. S. Nos. C-944-945.)

On August 6, 1918, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 699 cases and 1,242 cases, each containing 24 cans of canned corn, at Minneapolis, Minn., alleging that the article had been shipped on or about November 15, 1917, by the Underwriters Salvage Co., Chicago, Ill., and transported from the State of Illinois into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On October 11, 1918, Wolpert-Davis Co., Minneapolis, Minn., having consented to a decree in so far as 1,200 cases of corn were concerned, and Bashaw and Co., Minneapolis, Minn., having consented to a decree in regard to 741 cases, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product should be released to said claimants upon the payment of the costs of the proceedings and the execution of bonds in the sum of \$3,000 and \$2,500, respectively, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6860. Adulteration and misbranding of one can of wintergreen leaf oil true. U. S. * * * v. 1 46-Pound Can Wintergreen Leaf Oil True. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9209. I. S. No. 13606-r. S. No. E.-1079.)

On August 6, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 can, containing 46 pounds of wintergreen leaf oil true, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about July 22, 1918, by T. J. Ray, Johnson City, Tenn., and transported from the State of Tennessee into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted in part of synthetic methyl salicylate.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia which differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, and its strength and purity fell below the professed standard and quality under which it was sold. Adulteration of the article was alleged for the further reason that a certain substance, to wit, synthetic methyl salicylate, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been

substituted in part for wintergreen leaf oil true, which the article purported to be.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, wintergreen leaf oil true, and for the further reason that the statement on the invoice, to wit, "Wintergreen Leaf Oil True," was false and misleading and deceived and misled the purchaser.

On November 2, 1918, the said Thomas J. Ray, Elk Park, N. C., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$92, in conformity with section 10 of the act, conditioned in part that the product should be relabeled as imitation oil of wintergreen.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**6861. Adulteration and misbranding of oil wintergreen leaf. U. S. * * *
v. 1 69-Pound Can of Oil Wintergreen Leaf. Consent decree of condemnation and forfeiture. Product ordered released on bond.
(P. & D. No. 9210. I. S. No. 13603-r. S. No. E-1080.)**

On August 6, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 69-pound can of oil wintergreen leaf, remaining unsold in the original unbroken package at New York, N. Y., alleging that the article had been shipped on or about July 13, 1918, by J. B. Johnson, Hickory, N. C., and transported from the State of North Carolina into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted in part of synthetic methyl salicylate.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, which differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia, and its strength and purity fell below the professed standard and quality under which it was sold; and for the further reason that a substance, synthetic methyl salicylate, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for oil wintergreen leaf, which the article purported to be.

Misbranding of the article, considered as a drug, was alleged for the reason that it was an imitation of, and was offered for sale under the name of, another article, to wit, oil of wintergreen leaf, and, considered as a food, for the further reason that it was an imitation of, and offered for sale under the distinctive name of, another article, and that the statement on the invoice, "Oil Wintergreen Leaf," was false and misleading, and deceived and misled the purchaser.

On March 10, 1919, the said J. B. Johnson, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$216, in conformity with section 10 of the act, conditioned in part that the product should be relabeled as imitation oil of wintergreen leaf.

C. F. MARVIN, *Acting Secretary of Agriculture.*